



United States Attorney
Southern District of New York

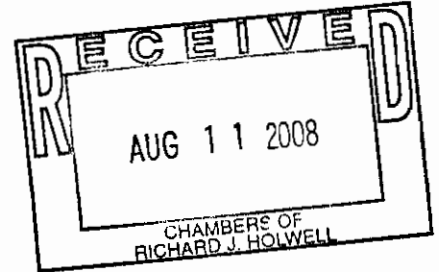
USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/14/08

86 Chambers Street
New York, New York 10007

August 11, 2008

By Fax

Honorable Richard J. Holwell
United States District Court Judge
United States Courthouse
500 Pearl Street, Room 1950
New York, New York 10007



Re: Hazel Fountain v. Astrue
08 Civ. 0178 (RJH) (DFE)

Dear Judge Holwell:

This Office represents the defendant, Commissioner of Social Security, in the above-referenced matter. During my preparation of defendant's motion for judgment on the pleading, I encountered several issues concerning the medical evidence that require that I seek additional information from the Agency. In order to allow the Agency time to review these issues, with the consent of plaintiff, I respectfully request an extension of time to file defendant's opposition and cross-motion for judgment on the pleadings, which is due today, August 11, 2008.

This matter has been referred to Magistrate Judge Douglas F. Eaton, who is not in chambers today. Therefore, I respectfully submit this request to Your Honor.

I have conferred with plaintiff, and the parties jointly propose the following revised briefing schedule: defendant's cross-motion for judgment on the pleadings and opposition will be due on September 19, 2008; plaintiff's reply will be due on October 10, 2008; and, defendant's reply, if any, will be due on October 24, 2008.

The requested extension of the briefing schedule will result in an additional three weeks from the prior schedule for the parties to fully brief the case.

This is defendant's first request for an extension on the briefing schedule.

Request granted.

SO ORDERED
Dated: 8/12/08

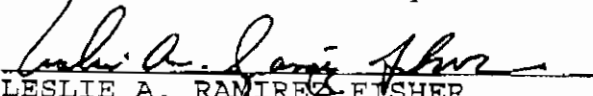
[Signature]
RICHARD J. SULLIVAN
U.S.D.J.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


LESLIE A. RAMIREZ FISHER
Assistant U.S. Attorney
Telephone: (212) 637-0378
Fax: (212) 637-2750

cc: Mary Mahoney, Esq. (By Fax)